

Appl. No. 10/811,737
Amdt. dated Feb 16, 2006
Reply to Office Action of Feb 3, 2006

Remarks

The objections to the abstract are noted. The abstract has been amended to correct the phrase "The plurality cells" to "The plurality of cells."

The objection to the term "comprises" as being legal language is traversed. The term as defined by Webster's Seventh New Collegiate Dictionary means "include, contain, to be made up of, to make up and to constitute." The word is completely accurate as used. Nowhere is this word defined as a legal term.

It is noted that the claim objections fail to set forth the line in which the objectionable phrase appears. It would have been most helpful, and in fact, could prevent misunderstanding if the objectionable phrases were pointed to by claim and line.

Claim 1, the phrase "each cell of said cells" is objected to without reason. The phrase "each cell of said plurality of cells" is preferred by the examiner.

The phrase as presented is believed proper and clear. The term "cells" is supported with antecedent basis in line 5. It is urged that the objection be withdrawn.

Claim 3 has been amended as suggested.

Claim 7, the phrase "of adjacent of said cells" is said to be informal and should read "of said adjacent cells." The phrase as suggested lacks antecedent support. Again, the phrase as presented is believed clear and proper. It is urged that the objection be withdrawn.

Claim 19 has been amended to provide proper antecedent basis.

Claim 24 has been amended to provide antecedent basis.

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Claim 26 has been amended as suggested.

Claim 39 has been amended as suggested.

Claim 41 has been amended as suggested.

Claim 45 has been amended as suggested.

Claim 47 is objected to as incomplete. It is said the relationship between mesh sizes is omitted. The objection is respectfully traversed. The term mesh plus a mesh size member refers to the size screen through which the particles are sifted. The term "particles are between 8 and 60 mesh" simply means the particles are sized by screens which have a meshed between 8 and 60. The particle sizes have a large end and a low end. As to claims 51 and 53, the claims simply require all particles to be within a range of five fine mesh sizes.

This language is thought to be clear, however, any suggestion by the examiner would be appreciated.

Claim 48 has been amended as suggested.

Claim 51 does not contain the objected to phrase "of adjacent of said cells."

Claims 45-53 have been cancelled with the intention of filing a continuation.

Claims 1-44 remain.

Claims 1-44 are not rejected over the prior art with claims 1, 2, 4-18, 20-23, 25-38 and 40-44 being indicated as allowed and claims 3, 19, 24 and 39 as rejected for form under 35 USC 112. The claims have been amended in an attempt to overcome the examiner's objections and to place the case in condition for allowance.

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Accordingly, it is respectfully urged that after review the examiner find all claims to be allowable and pass the case to issue in the due course of PTO business.

Respectfully submitted,



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